

DOCKET NO.: JIPR-0027 (ORT-1462)
Application No.: 09/921,516
Office Action Dated: November 26, 2003

PATENT

REMARKS/ARGUMENTS

Claims 1-28 are pending and under examination. With this response, Applicants are resubmitting an Associate Power of Attorney and Change of Correspondence Address that was filed with the United States Patent and Trademark Office on August 11, 2003. Please note this change of address for the next communication.

Restriction under 35 U.S.C. § 121

As an initial matter, Applicants wish to thank the Examiner for vacating the Restriction Requirement of Paper No. 6.

In the present Office Action, the Examiner has required a species election of a single method of treatment comprising interferon and erythropoietin in combination with one of the following (a) nucleoside analogs, (b) protease inhibitors, (c) anti-tumor necrosis factors compounds or (d) anti-tumor agents.

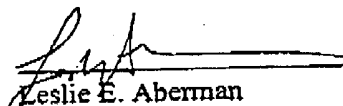
For the species election, Applicants elect a method of treatment comprising interferon and erythropoietin in combination with a nucleoside analog. It is Applicants' understanding that this election is being made to aid the Examiner in conducting a search and examination of the claimed subject matter, and is not to be construed as limiting the scope of Applicants' claims. It is also Applicants' understanding that if the elected subject matter is found to be allowable over the prior art, the search and examination will be expanded to cover other species such as methods of treatment comprising interferon and erythropoietin in combination with a protease inhibitor, anti-tumor necrosis factor compound or anti-tumor agent.

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Applicants believe that the foregoing constitutes a complete and full response to the Office Action of record. An early and favorable consideration of the present application is respectfully requested. If a telephonic interview would facilitate advancing prosecution, the undersigned invites the Examiner to call her at the number below.

Date: February 4, 2004


Leslie E. Aberman
Registration No. 54,836

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439